

05-16-05

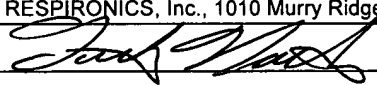
05-16-05

<b>Mail Stop Amendment TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Application Number	09/781,610
	Filing Date	February 12, 2001
	Confirmation Number	3883
	Inventor(s)	DENYER et al.
	Group Art Unit	3731
Express Mail Label No.: EL 997385955 US	Examiner	Mendoza, M.
Total Number of Pages in This Submission: 8	Attorney Docket No.	00-41 RCE

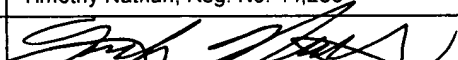
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (submit in duplicate) <input type="checkbox"/> Fee Attached \$ <input type="text"/> Check No.: <input type="text"/> <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input type="checkbox"/> Search report <input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input checked="" type="checkbox"/> Other Enclosure(s): <u>European Communication</u>		

Current Due Date: May 15, 2005

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	May 13, 2005

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>May 13, 2005</u> , Express Mail Label No. <u>EL 997385955 US</u> .			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : DENYER et al.  
Appln. No. : 09/781,610  
Conf. No.: : 3883  
Filed: : February 12, 2001  
Title: : CONTROLLING DRUG DELIVERY APPARATUS  
Group Art Unit : 3731  
Examiner : Mendoza, M.  
Docket No. : 00-41 RCE

\* \* \* \* \*

May 13, 2005

**INFORMATION DISCLOSURE STATEMENT**

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

I hereby certify that each enclosed document listed on the herewith Form PTO-1449 was cited in the attached European Communication, dated February 15, 2005, issued in a counterpart foreign application not more than three months ago.

In compliance with 37 C.F.R. § 1.98, Applicant is not required to provide a copy of any U.S. Patent or U.S. Patent Application publication listed in the accompanying form PTO-

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on May 13, 2005 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

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Timothy Nathan, Reg. No. 44,256

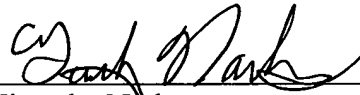
DENYER et al. -- Appln. No.: 09/781,610

1449. However, Applicant will make available to the Examiner a copy of any document listed in the attached PTO-1449 form not otherwise available.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By   
Timothy Nathan  
Reg. No.: 44,256  
Tel. No.: (724) 387-4435  
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Murrysville, PA 15668-8525  
1-800-638-8208

PTO/SB/08 Form (RESPIRONICS Version)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

<b>Application No.</b>	09/781,610
<b>Filing Date</b>	February 12, 2001
<b>Inventor</b>	DENYER et al.
<b>Confirmation No.</b>	3883
<b>Group Art Unit</b>	3731
<b>Examiner:</b>	Mendoza, M.
<b>Attorney Docket No:</b>	00-41 RCE

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				
	B	WO 01/08106	02-01-2001	Momich et al.		
	C	WO 92/17231	10-15-1992	Haver et al.		

Examiner Signature		Date Considered	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.